

MESSAGE NO: 1005203 MESSAGE DATE: 01/05/2001

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-502

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/01/1999 TO 04/30/2000

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQ. INSTRUCTIONS FOR IRON CONSTRUCTION CASTINGS FROM CHINA (A-570-502)

MESSAGE NO: 1005203

DATE: 01 05 2001

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 502

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PERIOD COVERED: 05 01 1999 TO 04 30 2000

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: LIQ. INSTRUCTIONS FOR IRON CONSTRUCTION CASTINGS FROM
CHINA (A-570-502)

1. MESSAGE NUMBER 8229113 OF 08/17/1998 INSTRUCTED CUSTOMS OFFICERS TO LIQUIDATE ALL ENTRIES OF IRON CONSTRUCTION CASTINGS FOR ALL FIRMS FOR THE PERIOD 05/01/1997 THROUGH 04/30/1998 AT THE RATE ENTERED. MESSAGE NUMBER 9351204 OF 12/17/1999 INSTRUCTED CUSTOMS OFFICERS TO LIQUIDATE ALL ENTRIES OF IRON CONSTRUCTION CASTINGS FOR ALL FIRMS FOR THE PERIOD 05/01/1998 THROUGH 04/30/1999 AT THE RATE ENTERED.

2. AFTER 12/15/1997 THE CUSTOMS MODULE ERRONEOUSLY SHOWED THE "

ALL OTHERS" CASH DEPOSIT RATE FOR THIS CASE TO BE ZERO. THE "ALL OTHERS" CASH DEPOSIT RATE AT THE TIME OF THE ABOVE-REFERENCED MESSAGES SHOULD HAVE BEEN 92.74 PERCENT. THIS WAS CORRECTED ON 10/4/2000.

3. THEREFORE, WE REQUEST THAT YOU LIQUIDATE AT THE RATE OF 92.74 PERCENT ALL UNLIQUIDATED ENTRIES MADE DURING THE PERIOD 12/15/1997 THROUGH 04/30/1999 TO WHICH THE "ALL OTHER" RATE APPLIES. THE "ALL OTHERS" RATE FOR THOSE REVIEWED PERIODS APPLIES TO ALL ENTRIES EXCEPT THOSE EXPORTED BY GUANGDONG METALS & MINERALS IMPORT & EXPORT CORPORATION.

4. FOR ANY ENTRIES WHICH WERE LIQUIDATED AT AN ERRONEOUS RATE LESS THAN 90 DAYS AGO, WE REQUEST THAT YOU RELIQUIDATE THESE ENTRIES AT THE CORRECT RATE OF 92.74 PERCENT.

5. FURTHERMORE, THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF ENTRIES OF THE MERCHANDISE COVERED BY THIS ANTIDUMPING DUTY ORDER FOR THE PERIOD 05/01/1999 THROUGH 04/30/2000. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR

BONDING RATE IN EFFECT ON THE DATE OF ENTRY SUMMARY. FOR ALL COMPANIES, THAT IS GUANGDONG MINMETALS, LIAONING MACHIMPEX AND "

ALL OTHERS," THIS RATE SHOULD BE 92.74 PERCENT.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED

ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT CHRISTIAN HUGHES AT 202-482-4106, OR DOUG CAMPAU AT 202-482-1395 AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party